

IN THE UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF MISSOURI  
SOUTHERN DIVISION

In Re:           Edward M. Gutting                                  )       Case No. 13-61761  
                  Angela M. Hornsby-Gutting                              )  
  )  
  Debtors    )

**MOTION TO APPROVE APPLICATION FOR ATTORNEY FEES**

COME NOW Debtors, by and through the counsel of record, and move the Court to Approve Attorney's Fees states as follows:

1. That this attorney is the duly appointed attorney of the above named Debtors in the Chapter 13 proceeding.
2. That this attorney has not previously made an application for fees in this Chapter 13 case. The proposed attorney fee is in excess of \$3,000 and pursuant to Local rule 2016 (C) this attorney files this application for fees. Such proposal is for direct payment of \$719 from Debtors to counsel, and for payment of \$2,781 via the plan.
3. That Attorney of record has spent an inordinate amount of time in meeting with the debtors and preparing this case for filing with the Court; that debtors' attorney has spent approximately 6 hours in person with clients including three in office visits for intake of information for debtors, reviewing documentation, consultation, preparation, and calculating the §1325 (b) (2) and §1325 (b) (3) for an above median case. Additionally another 2 hours of time was spent for in office work on the file including: preparation of 2 Motions to Avoid Liens, contacting creditor's counsel regarding upcoming hearing after the filing, structuring a Ch.13 Plan, reviewing tax returns, filing the bankruptcy case, reviewing creditor information, reviewing recorded documents, bank accounts, life insurance policies, retirement accounts, the initial plan preparation, preparation of schedules, reviewing schedules and procedures with the debtors, in addition, there will still be additional hours of work pre-confirmation of which debtors' attorney expects to total another two to three hours in preparation for the 341 hearing, the actual 341 hearing, review of claims as they are filed; and that potentially there could be additional pre-confirmation hours in making amendments or adjustments in order to get the plan

confirmed, dealing with objections by creditors, etc; that in light of the number of hours that this debtors' attorney has and will expend on this case, this attorney believes that the fee of \$3,500 is the appropriate fee; that debtors have paid \$719 prior to filing of the bankruptcy and have proposed to pay the remaining \$2,781 through the Chapter 13 plan and this debtors' attorney suggests that the fees are appropriate and ask that the Court approve the same.

WHEREFORE, Attorney prays that the Court approve the attorney fee designated in the above case of \$3,500 for representing the debtors in this Chapter 13 case.

Dated: 11/22/2013

Respectfully submitted,  
LICATA BANKRUPTCY FIRM, P.C.

/s/ Matthew J. Isaacson  
Marc D. Licata, Mo 54957  
Matthew J. Isaacson Mo 57894  
1442 E. Bradford Parkway  
Springfield, MO 65804  
(417) 887-3328 / Fax (417) 88-8091  
ATTORNEY FOR DEBTOR

#### **NOTICE OF MOTION**

Within 21 days from the date of service of this notice, creditors may file objections as to why the Application should not be granted with the **U.S. Bankruptcy Court, Room 1510, U.S.**

**Courthouse, 400 East 9<sup>th</sup> Street, Kansas City, Missouri 64106, and serve a copy on debtor's counsel**  
If objections are timely filed, the Court will rule the matter from the pleadings or set the objections for a hearing, if appropriate. If no objections are filed, the Court will enter its order without further notice.

#### **CERTIFICATE OF SERVICE**

I hereby certify that on November 22, 2013, the foregoing was delivered via e-mail to the parties of interest that are registered to receive electronic filings on ECF, and regular first class, postage prepaid to the parties of interest not registered to receive electronic filings on ECF.

/s/ Matthew J. Isaacson  
ATTORNEY FOR DEBTORS